



United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

February 12, 2021

**BY ECF**

Honorable Andrew L. Carter, Jr.  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 2/23/21

**Re: *United States v. Johnny Nunez Garcia*, 19 Cr. 766 (ALC)**

Dear Judge Carter,

A status conference in this case is scheduled for Thursday, February 18, 2021. The Government writes on behalf of both parties to request that the conference be adjourned approximately two weeks and that it be converted into a change-of-plea hearing. Earlier today, defense counsel advised that the defendant is ready to accept a plea offer, and they simply need some additional time to prepare for that proceeding.

The Government also requests that, in the interests of justice and pursuant to 18 U.S.C. § 3161(h)(7), time under the Speedy Trial Act be excluded between February 18, 2021 and the new conference date, so as to allow defense counsel to effectively prepare the defendant for a change-of-plea proceeding and for the parties to resolve this matter short of trial. Defense counsel consent to this request.

Respectfully submitted,

AUDREY STRAUSS  
Acting United States Attorney  
Southern District of New York

Frank J. Balsamello / Adam Hobson  
Assistant United States Attorneys  
(212) 637-2325 / -2484

cc: Aaron Mysliwiec, Esq., and Christopher Madiou, Esq., *counsel for the defendant* (by ECF)

The application is **GRANTED**. A telephone change of plea hearing is scheduled for 3/12/21 at 10:30 a.m. Time excluded.  
So Ordered.

  
2/18/21